

D/F

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X

HOP HING PRODUCES INC.,

**ORDER**

Plaintiff,

**11-CV-03259 (NGG) (RLM)**

-against-

LIN ZHANG TRADING CO., INC., and LIN  
ZHANG, individually,

Defendants.

-----X

NICHOLAS G. GARAUFIS, United States District Judge.

On January 29, 2013, Plaintiff moved for a default judgment against Defendant Lin Zhang Trading Co., Inc. ("Lin Zhang Trading Co."). (Pl. Mot. for Default J. (Dkt. 18).) The court referred this motion to Magistrate Judge Roanne L. Mann for a report and recommendation ("R&R") under 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b)(1). (Jan. 29, 2013, Order (Dkt. 21).)

On July 10, 2013, Judge Mann issued her R&R recommending that (1) Plaintiff's motion for a default judgment against Lin Zhang Trading Co. be granted in part such that Plaintiff be awarded \$11,591.56—\$11,241.56 in damages and \$350.00 in costs, but no pre-judgment interest; and (2) Plaintiff's claims against Defendant Lin Zhang be dismissed for failure to prosecute. (R&R (Dkt. 27).)

No party has objected to Judge Mann's R&R, and the time to do so has passed. See Fed. R. Civ. P. 72(b)(2). (See also R&R at 16 ("Any objections to this Report and Recommendation must be filed with the Honorable Nicholas G. Garaufis[] by July 29, 2013.")) Therefore, the court reviews the R&R for clear error. See Gesualdi v. Mack Excavation & Trailer Serv., Inc., No. 09-CV-2502 (KAM) (JO), 2010 WL 985294, at \*1 (E.D.N.Y. Mar. 15, 2010); La Torres v. Walker, 216 F. Supp. 2d 157, 159

(S.D.N.Y. 2000); cf. 28 U.S.C. § 636(b)(1). Finding no clear error, the court ADOPTS the R&R in its entirety. See Porter v. Potter, 219 F. App'x 112 (2d Cir. 2007).

Accordingly, Plaintiff's motion for a default judgment is GRANTED IN PART, and Plaintiff is awarded \$11,591.56 as set forth above. The Clerk of Court is respectfully directed to enter judgment and close the case.

SO ORDERED.

Dated: Brooklyn, New York  
July 31, 2013

s/Nicholas G. Garaufis  
NICHOLAS G. GARAUFIS  
United States District Judge